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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91222006
Party	Plaintiff Facebook, Inc.
Correspondence Address	THOMAS M HADID COOLEY LLP 1299 PENNSYLVANIA AVE NW, SUITE 700 WASHINGTON, DC 20004 UNITED STATES trademarks@cooley.com, bhughes@cooley.com, rgf@cooley.com, pwillsey@cooley.com
Submission	Other Motions/Papers
Filer's Name	Rebecca Givner-Forbes
Filer's e-mail	trademarks@cooley.com, bhughes@cooley.com, rgf@cooley.com, pwillsey@cooley.com
Signature	/Rebecca Givner-Forbes/
Date	10/25/2016
Attachments	Facebook v. Designbook -- Stipulated Resolution.pdf(429556 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of application Serial Nos. 86/331,248, 86/331,173, 86/324,885, 86/324,872  
For the Trademark DESIGNBOOK  
Published in the *Official Gazette* on December 2, 2014 and December 9, 2014

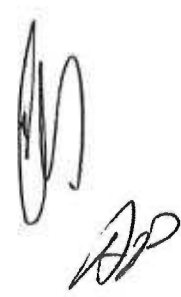
FACEBOOK, INC.,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91222006 (parent)
	)	
DESIGNBOOK LLC,	)	
	)	
Applicant.	)	
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In the matter of application Serial Nos. 86/331,279, 86/324,904, 86/331,183  
For the Trademark DESIGNBOOK.COM  
Published in the *Official Gazette* on December 2, 2014 and December 9, 2014

FACEBOOK, INC.,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91222010 (child)
	)	
DESIGNBOOK LLC,	)	
	)	
Applicant.	)	
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In the matter of application Serial Nos. 86/398,067, 86/398,064, 86/398,061, 86/398,046  
For the Trademark DB DESIGNBOOK (Stylized)  
Published in the *Official Gazette* on June 2, 2015 and June 30, 2015

FACEBOOK, INC.,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91225049 (child)
	)	
DESIGNBOOK LLC,	)	
	)	
Applicant.	)	
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**STIPULATED RESOLUTION OF OPPOSITION NO. 91222010; AND  
STIPULATED REQUEST TO ABANDON OR AMEND APPLICATIONS SUBJECT TO  
OPPOSITION NOS. 91222006 AND 91225049 AND TO DISMISS SUCH OPPOSITIONS  
WITHOUT PREJUDICE UPON ACCEPTANCE OF AMENDMENTS**

Opposer, Facebook, Inc. ("Facebook"), and Applicant VentureCo Holdings Inc., successor-in-interest to Designbook, LLC (collectively, "Applicant"), hereby stipulate to a resolution of Opposition No. 91222010 concerning Applicant's pending applications for the mark DESIGNBOOK.COM, as described in Section A below. With respect to Opposition Nos. 91222006 and 91225049, which concern Applicant's applications for the marks DESIGNBOOK and DB DESIGNBOOK (stylized), the Parties (i) stipulate to the abandonment of the subject applications covering services in Class 45, and (ii) request that the Board amend the subject applications covering services in Classes 35, 38, and 42 and, upon entry of all such amendments, dismiss Opposition Nos. 91222006 and 91225049 without prejudice.

**A. Opp. No. 91222010: Abandonment of Applications and Dismissal of Opposition Without Prejudice**

Facebook and Applicant hereby stipulate that (i) Application Serial Nos. 86/324,904, 86/331,183, and 86/331,279, each for the mark DESIGNBOOK.COM, are abandoned with prejudice to Applicant's ability to refile, and (ii) Facebook's Opposition No. 91222010 is dismissed without prejudice.

**B. Opp. Nos. 91222006 and 91225049: Abandonment of Class 45 Applications; Amendment of Class 35, 38, and 42 Applications and Dismissal of Oppositions Upon Entry of Amendments Without Prejudice**

*i. Abandonment of Class 45 Applications.*

Facebook and Applicant hereby stipulate that Application Serial Nos. 86/331,173 and 86/398,067 are abandoned with prejudice to Applicant's ability to refile.

Handwritten signature and initials, likely representing the parties involved in the stipulation.

ii. Amendment of Class 35, 38, and 42 Applications.

Facebook and Applicant hereby request that the Board amend the applications subject to Opposition Nos. 91222006 and 91225049 covering services in Classes 35, 38, and 42 (the "Subject Applications") as set forth below.

a. Amendment of Marks

Each mark shall be amended to depict the literal element DESIGNBOOK as two separate terms, namely, DESIGN BOOK. Amended drawings of each mark are attached hereto. The Parties submit that these amendments are non-material alterations and, as such, neither republication nor further examination is required as a result of such amendments.

b. Amendment of Recitations of Services

Each of the Subject Applications set forth below shall be amended to consist of the services set forth below. The Parties submit that such amendments narrow, rather than broaden, the scope of each application and, as such, neither republication nor further examination is required as a result of such amendments.

Application Serial No(s).	International Class	Identification
86/324,872 86/398,046	35	Providing a website at which entrepreneurs post projects to attract venture capital; operating an on-line marketplace for sellers of services, namely offering of skilled services on a contract or employee basis; providing on-line computer databases and on-line searchable databases in the fields of entrepreneurship and business development, namely providing listings of businesses' needs for employees, contractors, consultants, product developers, engineers, business founders, entrepreneurs, and investors as well as listings describing the skills and qualifications of, and opportunities sought by, employees, contractors, consultants, product developers, engineers, business founders, entrepreneurs, and investors
86/331,248	38	Telecommunications services, namely, e-mail services


86/398,061		between employees, contractors, consultants, product developers, engineers, business founders, entrepreneurs, and investors for the purposes of discussing investment and employment; providing online communications links which transfer web site users to other local and global web pages
86/324,885 86/398,064	42	Provision of computer services in the nature of online profiles for businesses, employees, contractors, consultants, product developers, engineers, business founders, entrepreneurs, and investors for the purposes of facilitating employment and investment in the fields of engineering, architectural design, computer programming, and product development; Providing a website featuring information in the field of interior design and architecture for use by interior designers, architects, engineers and the construction industry

*iii. Dismissal of Oppositions Upon Entry of All Amendments*

Upon entry of all of the amendments requested in this Section B, Facebook and Applicant hereby stipulate that Opposition Nos. 91222006 and 91225049 are dismissed without prejudice. Should the Board decline to enter any of the requested amendments, however, Facebook and Applicant request that the Board suspend, as applicable, Opposition Nos. 91222006 and/or 91225049.

**[Signatures on Next Page]**



Respectfully submitted,

**Applicant VentureCo Holdings Inc.**  
(formerly Designbook, LLC)

By: 

Peter Kunin  
Downs Rachlin Martin PLLC  
Courthouse Plaza  
199 Main Street  
Burlington, VT 05401  
T: 802-863-2375  
F: 802-862-7512

**Opposer Facebook, Inc.**

By: 

Peter J. Willsey  
Brendan J. Hughes  
Rebecca Givner-Forbes  
Cooley LLP  
1299 Pennsylvania Ave., NW, Suite 700  
Washington, DC 20004  
T: (202) 842-7800

*Attorneys for Applicant VentureCo Holdings Inc. Attorneys for Opposer Facebook, Inc.*

Date: \_\_\_\_\_, 2016

Date: \_\_\_\_\_, 2016



Application Serial Nos. 86/331,248, 86/324,885, 86/324,872

Original Mark:

**DESIGNBOOK**

Proposed Mark:

**DESIGN BOOK**

Application Serial Nos. 86/398,064, 86/398,061, 86/398,046

Original Mark:



Original Description: The mark consists of half of the letter "d" and half of the letter "b" facing each other and above the literal element "DESIGNBOOK".

Proposed Mark:



Proposed Description: Color is not claimed as a feature of the mark. The mark consists of half of the letter "d" and half of the letter "b" facing each other alongside the literal element "DESIGN BOOK".

AN  
AP

## CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below a true and complete copy of the foregoing **STIPULATED RESOLUTION OF OPPOSITION NO. 91222010; AND STIPULATED REQUEST TO ABANDON OR AMEND APPLICATIONS SUBJECT TO OPPOSITION NOS. 91222006 AND 91225049 AND TO DISMISS SUCH OPPOSITIONS WITHOUT PREJUDICE UPON ACCEPTANCE OF AMENDMENTS** was, pursuant to the parties' stipulation, served electronically upon Applicant's correspondent for the subject application, via email to the following addresses:

pkunin@drm.com  
cstadecker@drm.com  
tmip@drm.com

Date: October 25, 2016

/Rebecca Givner-Forbes/  
Rebecca Givner-Forbes  
COOLEY LLP  
1299 Pennsylvania Ave., NW  
Suite 700  
Washington, D.C. 20004  
Tel: (202) 842-7800  
Email: rgf@cooley.com

*Counsel for Opposer Facebook, Inc.*